

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CECILIO CORDOVA, RONALD HOAYEK-
GONZALEZ, MACARIO CORTES, and
MARTIN MARTINEZ-VERIA, on behalf of
themselves and others similarly situated,

Plaintiffs,

-against-

SCCF, INC., 45th ST. CUBAN, LLC d/b/a
SOPHIE'S CUBAN CUISINE, CHAMBERLAIN
RESTAURANT INC. d/b/a SOPHIE'S CUBAN
CUISINE, 27 SMITH ST. CUBAN LLC d/b/a
SOPHIE'S CUBAN CUISINE, MAHABIR
ENTERPRISES LLC d/b/a SOPHIE'S CUBAN
CUISINE, LUNA ENTERPRISE INC. d/b/a
SOPHIE'S CUBAN CUISINE, SOPHIE'S
RESTAURANT #3 LLC d/b/a SOPHIE'S CUBAN
CUISINE, SOFIA LUNA, PATRICIA LUNA,
THOMAS CHAMBERLAIN, and
ALVIN LOPEZ,

Defendants.

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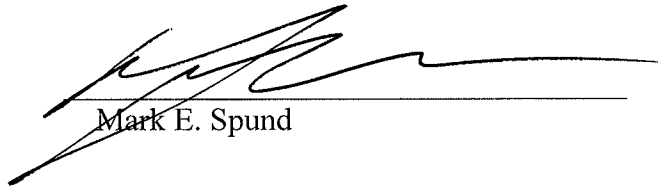
Case Number:
13-CV-5665 (LTS) (HP)

**DECLARATION OF
MARK E. SPUND, ESQ.
IN SUPPORT OF
MOTION TO DISMISS
THE SECOND AMENDED
COMPLAINT**

Pursuant to 28 U.S.C. § 1746, I declare under the penalty of perjury that the
following is true and correct:

1. I am a member of Davidoff Hutcher & Citron LLP, attorneys of record for
defendants SCCF, Inc., Luna enterprise, Inc. Sophie's Restaurant #3 LLC and Sofia Luna.
2. I am fully familiar with the facts and circumstances of this action and
submit this Declaration in Support of the Moving Defendants Motion to Dismiss the Second
Amended Complaint pursuant to Federal Rules of Civil Procedure, Rule 12(b)(6).
3. Attached hereto as Exhibit "1" is a copy of Plaintiffs' Second Amended
Complaint.

4. Attached hereto as Exhibit "2" is a copy of Plaintiffs' First Amended Complaint.



Mark E. Spund

Affirmed this 20th day of
December, 2013